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10/628,852	07/28/2003	Kathryn M. Taylor	030130 (40147/09401)	5818

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EXAMINER

FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3687

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09/02/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/628,852

Applicant(s)

TAYLOR ET AL.

Examiner

VANEL FRENEL

Art Unit

3687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/23/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 18-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Remarks filed on 4/23/09. Claims 1-15 and 19-21 are pending.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:
Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
3. Claims 1-9 and 19-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-9 and 19-20 are rejected under 35 U.S.C. 101. Based on Supreme Court precedent and recent Federal Circuit decisions, the Office's guidance to examiners is that a § 101 process must (1) be tied to a machine or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. In *re Bilski et al*, 88 USPQ 2d 1385 CAFC (2008); *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780,787-88 (1876).

An example of a method claim that would not qualify as a statutory process would be a claim that recited purely mental steps. Thus, to qualify as a § 101 statutory process, the claim should positively recite the other statutory class (the thing or product) to which it is tied, for example by identifying the apparatus that accomplishes the method steps, or positively recite the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.

Here, applicant's method steps fail the first prong of the new Federal Circuit decision since they are not tied to a machine and can be performed without the use of a particular machine. Thus, claims 1-1 and 19-20 are non-statutory since they may be performed within the human mind.

Further, the Examiner notes that at page 4 of the Specification lines 19-21 indicates that "The computer program product may also be a propagated signal on a carrier readable by a computing system and encoding a computer program of instructions for executing a computer process". Thus, such a signal cannot be patentable subject matter.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-15 and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornett et al. (5,216,612) in view of Vogler et al. (6,681,990) and further in view of Brockman (5,884,300).

As per claim 1, Cornett discloses a method of automatically updating inventory data in an inventory management system (See Cornett, Col .23, lines 1-19), the method comprising: in a computer software application, requesting a plurality of inventory models from the inventory management system (See Cornett, Fig.27; Col .27, lines 48-

68); selecting at least one model from the plurality of requested inventory models (See Cornett, Col .22, lines 59-68 to Col .23, line 11); generating an inventory update form for each of the plurality of inventory models in the software application program (See Cornett, Fig.12A; Col .25 lines 1-37); populating each inventory update form with updated inventory data in the software application program (See Cornett, Col .9, lines 32-55).

Cornett does not explicitly disclose sending the updated inventory data from the software application program to the inventory management system.

However, this feature is known in the art, as evidenced by Vogler. In particular, Vogler suggests sending the updated inventory data from the software application program to the inventory management system (See Vogler, Col .4, lines 44-67 to Col .5, line 14).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Vogler within the system of Cornett with the motivation of enabling adaptive real-time inventory management. Instead of receiving periodic reports of aggregated inventory changes, the system enables inventory changes to be reported real-time and without human intervention (See Vogler, Col 1.2, lines 25-29).

Furthermore, claim 1 has been amended to recite the new limitations of "automatically", "the plurality of inventory models comprising default configuration data for a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system".

Cornett and Vogler disclose all the limitations above. The combination of Cornett and Vogler do not explicitly disclose that the method having "automatically", "the plurality of inventory models comprising default configuration data for a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system".

However, these features are known in the art, as evidenced by Brockman. In particular, Brockman suggests that the method having "automatically", "the plurality of inventory models comprising default configuration data for a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system" (See Brockman, Fig.7, Col .3, lines 25-54; Col .6, lines 15-28). It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Brockman within the collective teachings of Cornett and Vogler with the motivation of determining a model inventory value for products at each field element in an inventory supply chain, key data elements are localized and compared with actual inventory values collected from the field elements to determine if a need for replenishment exists (See Brockman, Col .1, lines 34-38).

As per claim 2, Cornett discloses the method further comprising: determining the status of the updated inventory data sent to the inventory management system (See Cornett, Col .22, lines 59-68 to Col .23, line 11); and if the status of the updated inventory data is failed, then resending the updated inventory data to the inventory management

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system (See Cornett, Col .27, lines 61-68 to Col .28, line 21).

As per claim 3, Cornett discloses the method further comprising updating the inventory management system with the updated inventory data (See Cornett, Col .9, lines 32-55).

As per claim 4, Vogler discloses the method wherein updating the inventory management system with the updated inventory data comprises saving the updated inventory data in the inventory management system (See Vogler, Co1.4, lines 64-67 to Co1.5, line 4).

The motivation for combining the respective teachings of Cornett, Vogler and Brockman are as discussed in the rejection of claim 1 above, and incorporated herein.

As per claim 5, Brockman discloses the method wherein requesting a plurality of inventory models from the inventory management system comprises: automatically logging into the inventory management system (See Brockman, Fig.7; Co1.3, lines 9-15); retrieving the plurality of inventory models from a database in the inventory management system (See Brockman, Co1.3, lines 45-62); retrieving provisioning data for the inventoried equipment in the inventory management system from an external database, wherein the provisioning data comprises data for provisioning special service circuits associated with the inventoried equipment in a telecommunications network (See Brockman, Fig.7; Col .15-29); and saving the plurality of inventory models to a file (See Brockman, Co1.3, lines 55-60).

The motivation for combining the respective teachings of Cornett, Vogler and Brockman are as discussed in the rejection of claim 1 above, and incorporated herein.

As per claim 6, Vogler discloses the method wherein sending the updated inventory data from the software application program to the inventory management system comprises: sending the updated inventory data to an inventory management database (See Vogler, Col .7, lines 4-25); logging into the inventory management system (See Vogler, Fig.3; Col .6, lines 49-60); and sending the updated inventory data from the inventory management database to the inventory management system (See Vogler, Col .6, lines 56-67).

The motivation for combining the respective teachings of Cornett, Vogler and Brockman are as discussed in the rejection of claim 1 above, and incorporated herein.

As per claim 7, Vogler discloses the method wherein the plurality of inventory models comprise default configuration data for inventoried equipment in the inventory management system (See Vogler, Fig.3; Col .6, lines 34-38).

The motivation for combining the respective teachings of Cornett, Vogler and Brockman are as discussed in the rejection of claim 1 above, and incorporated herein.

As per claim 8, Brockman discloses the method wherein the updated inventory data comprises specific configuration data for inventoried equipment in the inventory management system (See Brockman, Col .3, lines 34-54).

The motivation for combining the respective teachings of Cornett, Vogler and Brockman are as discussed in the rejection of claim 1 above, and incorporated herein.

As per claim 9, Brockman discloses the method further comprising retrieving, from an external database, provisioning data for the inventoried equipment in the inventory management system (See Brockman, Fig.7; Col .6, lines 15-29).

The motivation for combining the respective teachings of Cornett, Vogler and Brockman are as discussed in the rejection of claim 1 above, and incorporated herein.

As per claim 10, Cornett discloses a computer system for updating inventory data, the computer system comprising: a remote computer in the computer system for storing a database comprising inventory model data (See Cornett, Col .23, lines 1-37); a network interface (See Cornett, Col .10, lines 1-10); a client computer, in communication with the remote computer over the network interface, the client computer comprising: a memory device for storing a program file (See Cornett, Col .9, lines 55-68).

Cornett does not explicitly disclose a processor, functionally coupled to the memory device, the processor being responsive to computer-executable instructions contained in the program file, wherein the program file comprises a user interface for: requesting the inventory model data from the database; selecting one or more inventory models from the requested inventory model data; generating an inventory update form from the one or more selected inventory models; populating the inventory update form

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with the updated inventory data; and storing the updated inventory data in the database. However, these features are known in the art, as evidenced by Vogler. In particular, Vogler suggested that a processor, functionally coupled to the memory device, the processor being responsive to computer-executable instructions contained in the program file, wherein the program file comprises a user interface for: requesting the inventory model data from the database (See Vogler, Col .7, lines 4-49); selecting one or more inventory models from the requested inventory model data (See Vogler, Col .5, lines 5-29); generating an inventory update form from the one or more selected inventory models (See Vogler, Col .5, lines 5-52); populating the inventory update form with the updated inventory data (See Vogler, Col .4, lines 39-43); and storing the updated inventory data in the database (See Vogler, Col .4, lines 44-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Vogler within the system of Cornett with the motivation of enabling adaptive real-time inventory management. Instead of receiving periodic reports of aggregated inventory changes, the system enables inventory changes to be reported real-time and without human intervention (See Vogler, Col .2, lines 25-29).

Furthermore, claim 10 has been amended to recite the new limitations of automatically, the inventory model data comprising default configuration data for a central office in a telecommunications network, automatically, the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system.

Cornett and Vogler disclose all the limitations above. The combination of Cornett and Vogler do not explicitly disclose that the method having "automatically", "the inventory model data comprising default configuration data for a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system".

However, these features are known in the art, as evidenced by Brockman. In particular, Brockman suggests that the method having "automatically", "the inventory model comprising default configuration data for a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system" (See Brockman, Fig.7, Col .3, lines 25-54; Col .6, lines 15-28).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Brockman within the collective teachings of Cornett and Vogler with the motivation of determining a model inventory value for products at each field element in an inventory supply chain, key data elements are localized and compared with actual inventory values collected from the field elements to determine if a need for replenishment exists (See Brockman, Col .1, lines 34-38).

As per claim 11, Vogler discloses the computer system wherein the inventory model data comprises default configuration data for inventoried equipment stored in the database (See Vogler, Col .7, lines 10-35).

The motivation for combining the respective teachings of Cornett, Vogler and Brockman are as discussed in the rejection of claim 1 above, and incorporated herein.

As per claim 12, Vogler discloses the computer system further comprising retrieving, from an external database, provisioning data for the inventoried equipment in the inventory management system (See Vogler, Fig.2, Col .6, lines 9-25).

The motivation for combining the respective teachings of Cornett, Vogler and Brockman are as discussed in the rejection of claim 1 above, and incorporated herein.

As per claim 13, Cornett discloses a system for updating inventory data in an inventory management database, the system comprising: a client computer (See Cornett Col .23, lines 1-37); a remote computer (See Cornett, Col .23, lines 1-19); a network connection between the local computer and the remote computer allowing data transfer therebetween (See Cornett, Col .10, lines 1-10).

Cornett does not explicitly disclose wherein the remote computer comprises: an inventory management database for storing inventory model data; and a software application program, residing on the remote computer, for retrieving the inventory model data from the database; wherein the local computer comprises: a user interface for: requesting the software application program to retrieve the inventory model data from the inventory management database; selecting at least one inventory model from the received inventory model data; generating an inventory update form from the at least one selected inventory model; populating the inventory update form with the updated

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data and sending the updated inventory data to the inventory management database. However, these features are known in the art, as evidenced by Vogler. In particular, Vogler suggested wherein the remote computer comprises: an inventory management database for storing inventory model data (See Vogler Col .4, lines 1-23); and a software application program, residing on the remote computer, for retrieving the inventory model data from the database (See Vogler, Col .5, lines 5-52); wherein the local computer comprises: a user interface for: requesting the software application program to retrieve the inventory model data from the inventory management database (See Vogler, Col .6, lines 9-64); selecting at least one inventory model from the received inventory model data (See Vogler, Col .7, lines 1-20); generating an inventory update form from the at least one selected inventory model (See Vogler, Col .5, lines 5- 52); populating the inventory update form with the updated inventory data (See Vogler, Col .4, lines 39-43); and sending the updated inventory data to the inventory management database (See Vogler, Col .7, lines 4-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Vogler within the system of Cornett with the motivation of enabling adaptive real-time inventory management. Instead of receiving periodic reports of aggregated inventory changes, the system enables inventory changes to be reported real-time and without human intervention (See Vogler, Col .2, lines 25-29).

Furthermore, claim 13 has been amended to recite the new limitations of "automatically", "the plurality of inventory models comprising default configuration data

for telecommunications equipment in a central office in a telecommunications equipment network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system".

Cornett and Vogler disclose all the limitations above. The combination of Cornett and Vogler do not explicitly disclose that the method having "automatically", "the plurality of inventory models comprising default configuration data for a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system".

However, these features are known in the art, as evidenced by Brockman. In particular, Brockman suggests that the method having "automatically", "the plurality of inventory models comprising default configuration data for telecommunications equipment in a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system" (See Brockman, Fig.7, Col .3, lines 25-54; Col .6, lines 15-28).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Brockman within the collective teachings of Cornett and Vogler with the motivation of determining a model inventory value for products at each field element in an inventory supply chain, key data elements are

localized and compared with actual inventory values collected from the field elements to determine if a need for replenishment exists (See Brockman, Col .1, lines 34-38).

As per the amended claim 14, Brockman discloses the system wherein the software application program is a screen scraper application program "operative to intercept character-based data from a mainframe computer" (See Brockman, Fig.7; Co1.6, lines 15-29).

The motivation for combining the respective teachings of Cornett, Vogler and Brockman are as discussed in the rejection of claim 1 above, and incorporated herein.

As per claim 15, Cornett discloses a computer-readable medium having computer-executable instructions, which when executed by a computer (See Cornett, Co1.9, lines 56-68), populating each inventory update form with updated inventory data (See Cornett, Co1.9, lines 32-55); updating the inventory management system with the updated inventory data (See Cornett, Co1.9, lines 32-55).

Cornett does not explicitly disclose the steps of: requesting a plurality of inventory models from an inventory management system; selecting at least one of the plurality of inventory models from the inventory management system; generating an inventory update form for each of the selected inventory models; sending the updated inventory data to the inventory management system; and retrieving, from an external database, provisioning data for inventoried equipment in the inventory management system.

However, these features are known in the art, as evidenced by Vogler. In particular, Vogler suggested requesting a plurality of inventory models from an inventory management system (See Vogler, Col .5, lines 5-52); selecting at least one of the plurality of inventory models from the inventory management system (See Vogler, Col .6, lines 9-64); generating an inventory update form for each of the selected inventory models (See Vogler, Col .5, lines 5-52); sending the updated inventory data to the inventory management system (See Vogler, Col .7, lines 4-25); and retrieving, from an external database, provisioning data for inventoried equipment in the inventory management system (See Vogler, Col .7, lines 4-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Vogler within the system of Cornett with the motivation of enabling adaptive real-time inventory management. Instead of receiving periodic reports of aggregated inventory changes, the system enables inventory changes to be reported real-time and without human intervention (See Vogler, Col .2, lines 25-29).

Furthermore, claim 15 has been amended to recite the new limitations of "the plurality of inventory models comprising default configuration data for telecommunications equipment in a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system", "wherein the provisioning data comprises data for provisioning special service circuits associated with the inventoried equipment in a telecommunications network".

Cornett and Vogler disclose all the limitations above. The combination of Cornett and Vogler do not explicitly disclose that the method having "automatically", "the plurality of inventory models comprising default configuration data for telecommunications equipment in a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system", "wherein the provisioning data comprises data for provisioning special service circuits associated with the inventoried equipment in a telecommunications network".

However, these features are known in the art, as evidenced by Brockman. In particular, Brockman suggests that the method having "automatically", "the plurality of inventory models comprising default configuration data for telecommunications equipment in a central office in a telecommunications network", "automatically", "the updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system" (See Brockman, Fig.7, Col .3, lines 25-54; Col .6, lines 15-28); wherein the provisioning data comprises data for provisioning special service circuits associated with the inventoried equipment in a telecommunications network (See Brockman, Fig.7; Col .15-29).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Brockman within the collective teachings of Cornett and Vogler with the motivation of determining a model inventory value for products at each field element in an inventory supply chain, key data elements are

localized and compared with actual inventory values collected from the field elements to determine if a need for replenishment exists (See Brockman, Col .1, lines 34-38).

As per claim 19, Brockman discloses the method wherein requesting a plurality of inventory models from the inventory management system comprises at least one of an updated equipment code, an updated equipment location, and updated cabling assignments for wiring between at least two pieces of central office equipment, in the central office (See Brockman, Fig.1; Fig.4; Co1.3, lines 35-67 to Co1.4, line 16).

As per claim 20, Brockman discloses the method wherein requesting the default configuration data for a central office comprises at least one of an equipment code, an equipment location, and cabling assignments for wiring between at least two pieces of central office equipment (See Brockman, Fig.1; Fig.4; Col.3, lines 35-67 to Col.4, line 16).

As per claim 21, Brockman discloses the method wherein requesting the default configuration data for a central office comprises at least one of an equipment code, an equipment location, and cabling assignments for wiring between at least two pieces of central office equipment (See Brockman, Fig.1; Fig.4; Col.3, lines 35-67 to Col.4, line 16).

Response to Arguments

6. Applicant's arguments filed on 4/23/09 with respect to claims 1-15 and 19-21 have been considered but they are not persuasive.

(A) At pages 2-6 of the response filed on 4/23/09, Applicant's argues the following: Cornett, Vogler and Brockman fail to teach, disclose or suggest each and every feature specified in amended claim 1, for example, "inventory models comprising default configuration data for telecommunications equipment in a central office in a telecommunications network, automatically populating each inventory update form with updated inventory data in software application program, or updated inventory data comprising specific operating parameters for the inventoried equipment in the inventory management system". The Examiner disagrees.

In response, the Examiner respectfully submitted that He relied upon the teaching of Brockman in Col .3, lines 45-67; Col .6, lines 15-29) which correspond to Applicant's claimed feature. Therefore, Applicant's argument is not persuasive and the rejection is hereby sustained.

In response, all of the limitations which Applicant disputes as missing in the applied references have been fully addressed by the Examiner as either being fully disclosed or obvious in view the teachings of Cornett, Vogler and Brockman based on the logic and sound scientific reasoning of one ordinarily skilled in the art at the time of the invention, as detailed in the remarks and explanations given in the preceding sections of the present Office Action and in the prior Office Action, and incorporated herein. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413,

208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091,231 USPQ 375 (Fed. Cir. 1986).

In addition, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 571-272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S.Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vanel Frenel/

Primary Examiner, Art Unit 3687

August 30, 2009